

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference W1.2244PCT	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/EP2004/051378	International filing date (day/month/year) 07.07.2004	Priority date (day/month/year) 11.07.2003
International Patent Classification (IPC) or national classification and IPC B41F31/15, B41F7/26, B41F13/32		
Applicant KOENIG & BAUER AKTIENGESELLSCHAFT		

- This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
- This REPORT consists of a total of **10** sheets, including this cover sheet.
- This report is also accompanied by ANNEXES, comprising:
 - ☒ (sent to the applicant and to the International Bureau) a total of **6** sheets, as follows:
 - ☐ sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).
 - ☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.
 - ☐ (sent to the International Bureau only) a total of _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).
- This report contains indications relating to the following items:

<input checked="" type="checkbox"/>	Box No. I	Basis of the report
<input type="checkbox"/>	Box No. II	Priority
<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input checked="" type="checkbox"/>	Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/>	Box No. VI	Certain documents cited
<input type="checkbox"/>	Box No. VII	Certain defects in the international application
<input type="checkbox"/>	Box No. VIII	Certain observations on the international application

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

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Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
 - ☐ This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:
 - ☐ international search (Rule 12.3 and 23.1(b))
 - ☐ publication of the international application (Rule 12.4)
 - ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the elements of the international application, this report is based on (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report*):
 - ☐ the international application as originally filed/furnished
 - ☒ the description:
 - pages 3-32 as originally filed/furnished
 - pages* 1, 2 received by this Authority on /filed with the demand
 - pages* _____ received by this Authority on _____
 - ☒ the claims:
 - nos. _____ as originally filed/furnished
 - nos.* _____ as amended (together with any statement) under Article 19
 - nos.* 1-23 received by this Authority on /filed with the demand
 - nos.* _____ received by this Authority on _____
 - ☒ the drawings:
 - sheets 1/14-14/14 as originally filed/furnished
 - sheets* _____ received by this Authority on _____
 - sheets* _____ received by this Authority on _____
 - ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
 - ☐ the description, pages _____
 - ☐ the claims, nos. _____
 - ☐ the drawings, sheets/figs _____
 - ☐ the sequence listing (*specify*): _____
 - ☐ any table(s) related to sequence listing (*specify*): _____
4. ☒ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
 - ☐ the description, pages _____
 - ☒ the claims, nos. 16
 - ☐ the drawings, sheets/figs _____
 - ☐ the sequence listing (*specify*): _____
 - ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

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Box No. IV Lack of unity of invention

1. ☒ In response to the invitation to restrict or pay additional fees the applicant has:
 - ☐ restricted the claims.
 - ☒ paid additional fees.
 - ☐ paid additional fees under protest.
 - ☐ neither restricted the claims nor paid additional fees.
2. ☐ This Authority found that the requirement of unity of invention is not complied with and chose, according to Rule 68.1, not to invite the applicant to restrict or pay additional fees.
3. This Authority considers that the requirement of unity of invention in accordance with Rules 13.1, 13.2 and 13.3 is:
 - ☐ complied with.
 - ☐ not complied with for the following reasons:
4. Consequently, this report has been established in respect of the following parts of the international application:
 - ☒ all parts.
 - ☐ the parts relating to claims Nos. _____

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International application No.

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Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-15, 17-23	YES
	Claims		NO
Inventive step (IS)	Claims	1-15, 17-23	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-15, 17-23	YES
	Claims		NO

2. Citations and explanations (Rule 70.7)

This report makes reference to the following documents:

D1: DE-A-4430693

D2: DE-A-10257243

D3: WO-A-86/02319

D4: EP-A-0387485

Invention I:

Document D1 represents the prior art closest to the subject matter of claim 1. D1 shows (cf. the references in the search report) an inking or dampening unit cylinder which can be axially moved by a transfer drive and has an individual rotary drive designed as a drive motor for rotating the cylinder.

The subject matter of claim 1 differs therefrom in that the cylinder is mounted so as to be movable in a direction perpendicular to its rotational axis and in that the drive motor is arranged so as to be movable together with the transferable cylinder.

The subject matter of claim 1 is therefore novel.

Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

This achieves a cost-effective and simple solution for the rotary drive of a transfer cylinder, especially since the intercalation of a balancing gear, which is usual in the case of a fixed motor, can be dispensed with.

The searched documents, either alone or in combination, cannot suggest a subject matter having the features of claim 1 for the stated purpose.

Claim 1 therefore involves an inventive step and, together with the advantageous developments in dependent claims 2-5, 7-14 and 22, meets the requirements of PCT Article 33(1) to 33(4).

Invention II:

Document D2 represents the prior art closest to the subject matter of claim 6. D2 shows (cf. the references in the search report) an inking or dampening unit cylinder which can be axially moved by a transfer drive and rotated by a drive arranged at the opposite front end.

The subject matter of claim 6 differs therefrom in that a coaxial drive shaft of the rotary drive is arranged so as to be fixed in the axial direction, and in that coupling means are provided which transmit torque from the drive to the cylinder body, via the fixed drive shaft, while permitting the relative displacement of the cylinder body and drive shaft.

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
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The subject matter of claim 6 is therefore novel.

The axial stroke can thus be taken up by the cylinder, rather than by the drive, which can be advantageous with regards to cost and overall volume.

The searched documents, either alone or in combination, cannot suggest a subject matter having the features of claim 6 for the stated purpose.

Claim 6 therefore involves an inventive step and, together with the advantageous developments in its dependent claims, claims 7-14 and 22, meets the requirements of PCT Article 33(1) to 33(4).

Invention III:

Documents D3 and D4 represent the prior art closest to the subject matter of claim 15.

Each of the documents D3 and D4 discloses (cf. the references in the search report) an inking unit (D4) or dampening unit (D3) with two cylinders which interact in the printing position (D3: 15, 23; D4: 4, 3), the two cylinders being swivellingly arranged so that the swivelling axis of the first cylinder (D3: 25; D4: 3) coincides with the rotational axis of the second cylinder (D3: 15; D4: 4).

Moreover, one of the two cylinders (D3: 25; D4: 3) is mounted in eccentric bushings.

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Document D3 further discloses that the first cylinder (25) is designed as the friction cylinder of a dampening unit.

The subject matter of claim 15 differs from this prior art in that both cylinders are mounted at their front ends in levers, and that one swivelling axis of the lever of the first cylinder coincides with the rotational axis of the second cylinder.

The subject matter of claim 15 is therefore novel.

This provides a swivelling arrangement of two interacting cylinders whose position relative to one another is not affected over a swivelling range.

The searched documents, either alone or in combination, cannot suggest a subject matter having the features of claim 15 for the stated purpose.

Claim 15 therefore involves an inventive step and, together with the advantageous developments in its dependent claims, claims 17-23, meets the requirements of PCT Article 33(1) to 33(4).

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of:

BOXES I AND IV**BOX I****Basis of the report**

The amendments submitted with the letter of 28 July 2005 introduce substantive matter which goes beyond the original disclosure in the international application as filed, thereby contravening PCT Article 34(2) (b). This concerns the following amendments:

The reference in claim 16 to independent claim 15 causes the combination of the respective cylinder bearings to be located both in the levers and in the eccentric plate.

In the original application, these combinations were separated (cf. page 21, paragraph 2, and original claims 15, 16 and 17).

The subject matter of the present claim 16 should not be further pursued because it was not disclosed in the original application.

BOX IV**Lack of unity of invention**

The International Searching Authority has determined that this international application contains multiple (groups of) inventions which are not linked by a single general inventive concept (PCT Rule 13.1), as follows:

Supplemental Box

I. Claims 1-5, 7-14, 22:

"drive motor which is movable together with the transfer cylinder mounted so as to be movable perpendicularly to the rotational axis"

II. Claim 6:

"coupling means between driving shaft and transfer cylinder body"

III. Claims 15, 17-21, 23:

"relation between the swivelling axes of two swivelling cylinders in the printing position"

For the following reasons, these inventions or groups of inventions are not so linked as to form a single general inventive concept (PCT Rule 13.1):

The general concept that links independent claims 1 and 6 comprises the following features:

"inking or dampening unit cylinder which can be axially moved by a transfer drive and has a rotary drive".

The general concept that links independent claims 1 and 15 comprises the following features:

"inking or dampening unit cylinder which can be moved perpendicularly to the rotational axis".

The general concept that links independent claims 6 and 15 comprises the following features:

Supplemental Box

"cylinder of an inking or dampening unit".

However, these common features are already known from document DE-A-4430693 (see the references in the search report).

Consequently, there is no technical relationship between claims 1, 6 and 15 (PCT Rule 13.2), and therefore the requirement of PCT Rule 13.1 for unity of invention is not met.